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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,895	10/19/2000	Lewis D. Dodrill	CIS00-2414	7627
7590	12/23/2003		EXAMINER	
			SALAD, ABDULLAHI ELMI	
			ART UNIT	PAPER NUMBER
			2157	
DATE MAILED: 12/23/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/691,895	DODRILL ET AL.
	Examiner Salad E Abdullahi	Art Unit 2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 January 2002.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-51 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-51 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                               | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2&amp;3</u> . | 6) <input type="checkbox"/> Other: _____ .                                   |

### **Detailed Action**

1. This application has been reviewed. Original claims 1-51 are pending. The rejection cited stated below.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-9, 11-20 and 22-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Augustine et al., U.S. Patent No. 6,574,630.

As per claims 1, 12 and 23, Augustine et al., a system in a notification server for providing a notification of an occurrence of an event, the method comprising the steps of:

- receiving an event notification string comprising event information that identifies at least one feature of the event and identification information that identifies an executable resource capable of processing the event information (event manager 101 receiving event notifications with identification information), (see fig. 1, and col. 7, line 45 to col. 7, line 65);
- determining notification information that identifies a device to be notified of the occurrence of the event in response to receiving the event notification string (i.e. notification identifier or symbol) (col. 7, line 45 to col. 7, line 65); and
- providing an event notification to the device in response to determining the notification information (see col. 7, line 45 to col. 7, line 65).

In considering claims 2, 13 and 24, Augustine et al., discloses a system, wherein the step of receiving the event notification string comprises receiving a hypertext transport protocol (HTTP) request comprising the event information and the identification information (see col. 7, lines 56-65).

In considering claims 3, and 14, Augustine et al., discloses a system, wherein the step of receiving the event notification string comprises receiving at least one of an event type, an event value, an application session identifier, and a parameter (see col. 7, lines 56-65).

In considering claims 4-7 and 15-18, Augustine et al., discloses a system, wherein the step of determining the notification information comprises accessing a database comprising notification preferences of a user (accessing personalization database 165), (see fig. 2 and see col. 5, lines 56-65).

In considering claims 8, and 19, Augustine et al., discloses a system, wherein the step of providing the event notification comprises notifying at least one preferred device (personal computing device 105) identified by the notification preferences (see col. 7, line 45 to col. 7, line 65).

In considering claims 9, and 20, Augustine et al., disclose a system, wherein the step of receiving the event notification string comprises receiving an application session identifier, and the step of determining the notification information comprises accessing a application-state data record based on the application session identifier (see col. 7, lines 6-56).

In considering claims 11 and 22, Augustine discloses a system, further comprising the steps of:

providing an event identifier in response to receiving the event notification string and determining the notification information (col. 7, line 45 to col. 7, line 65);  
receiving a query request based on the event identifier that requests a status of the event notification (col. 7, line 45 to col. 7, line 65); and

providing a response to the query request that indicates the status of the event notification (col. 7, line 45 to col. 7, line 65).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Augustine et al., as applied to claim 1 above, and further in view of Nelson U. S. Patent No. 6,496,568.

As per claim 10, although Augustine et al., discloses substantial features of the claimed invention,

Augustine is silent regarding: the step of providing an event notification to the device comprises providing the event notification based on an application programming interface (API) to a service that provides communication to an external resource.

Nelson, in an analogous art provides the step of providing the event notification based on application programming interface (API) to a service that provides communication to an external resource (i.e. providing event notification to a user with a pager device (see fig. 1, paging interface 112, and col. 3, line 46 to col. 4, line 45)).

Therefore, it would have been obvious to one having ordinary skill in the art at time of the

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invention presented with teaching of Augustine to utilize the paging interface as taught by Nelson such users can be provided for notification event in real-time bases.

As per claims 25-51, the claims recite similar limitation as recited in claims 1-24, in such claims 25-51, are rejected same rational as claims 1-24.

### CONCLUSION

5. The prior art made of record and relied upon is considered pertinent to the applicant's disclosure.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Salad E Abdullahi** whose telephone number is 703-308-8441. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Ario Etienne** can be reached on **703) 308-7562**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

12/10/2003

As



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